

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

REPEX VENTURES S.A., on Behalf of Itself)	Civil Action No. 09-cv-289 (RMB)
and All Others Similarly Situated,)	
)	<u>CLASS ACTION</u>
Plaintiff,)	
)	ECF CASE
v.)	
)	
BERNARD L. MADOFF; BANK MEDICI)	
S.A.; SONJA KOHN; PETER)	
SCHEITHAUER; HERALD USA FUND;)	
HERALD LUXEMBURG FUND; BANK)	
AUSTRIA CREDITANSTALT; UNICREDIT)	
S.A.; PRIMEO SELECT FUND; PRIMEO)	
EXECUTIVE FUND; PIONEER)	
ALTERNATIVE INVESTMENTS; THEMA)	
INTERNATIONAL FUND PLC, ERNST &)	
YOUNG S.A., and HSBC SECURITIES)	
SERVICES, S.A.,)	
)	
Defendants.)	
)	

[Additional caption on next page]

**NOTICE OF MOTION OF REPEX VENTURES S.A. FOR CONSOLIDATION
OF ALL RELATED ACTIONS, APPOINTMENT AS LEAD PLAINTIFF PURSUANT
TO § 21D(a)(3)(B) OF THE SECURITIES EXCHANGE ACT OF 1934,
AND APPROVAL OF SELECTION OF LEAD COUNSEL**

HORST LEONHARDT, on Behalf of Himself) Civil Action No. 09-cv-2032 (RMB)
and All Others Similarly Situated,)
)
)
Plaintiff,) **CLASS ACTION**
)
)
v.)
)
BERNARD L. MADOFF, BANK MEDICI)
S.A., SONJA KOHN, PETER)
SCHEITHAUER, HERALD USA FUND,)
HERALD LUXEMBURG FUND, BANK)
AUSTRIA CREDITANSTALT, UNICREDIT)
S.A., PRIMEO SELECT FUND, PRIMEO)
EXECUTIVE FUND, PIONEER)
ALTERNATIVE INVESTMENTS, THEMA)
INTERNATIONAL FUND PLC, HELMUTH)
E. FREY, FRIEDRICH PFEFFER, FRANCO)
MUGNAI, ALBERTO BENBASSAT,)
STÉPHANE BENBASSAT, GENEVALOR,)
BENBASSAT & CIE, DAVID T. SMITH,)
GERALD J. P. BRADY, DANIEL)
MORRISSEY, ERNST & YOUNG S.A.,)
ERNST & YOUNG GLOBAL LIMITED,)
HSBC HOLDINGS PLC, HSBC)
INSTITUTIONAL TRUST SERVICES)
(IRELAND) LIMITED, HSBC SECURITIES)
SERVICES (IRELAND) LIMITED, HSBC)
SECURITIES SERVICES, S.A.,)
PRICEWATERHOUSECOOPERS,)
CHARTERED ACCOUNTANTS,)
PRICEWATERHOUSECOOPERS)
INTERNATIONAL LIMITED; and)
FRIEHLING & HOROWITZ,)
)
Defendants.)
)

[Additional caption on next page]

FABIAN PERRONE and CHIA-HUNG KAO,) Civil Action No. 09-cv-2558 (SHS)
)
Plaintiff(s),) **CLASS ACTION**
)
v.) **ECF CASE**
)
ALBERTO BENBASSAT, STÉPHANE)
BENBASSAT, GERALD J.P. BRADY,)
NICOLA A. CORSETTI, NIGEL H.)
FIELDING, HELMUTH E. FREY, JOHN)
HOLLIWELL, KARL E. KANIAK, SONJA)
KOHN, ALBERTO LA ROCCA, DANIEL)
MORRISSEY, FRANCO MUGNAI, DECLAN)
MURRAY, HERALD C. NOGRASEK,)
JAMES. E. O'NEILL, FRIEDRICH PFEFFER,)
URSULA RADELLESZCZYNSKI, HANNES)
SALETA, PETER SCHEITHAUER, ALFRED)
SIMON, DAVID T. SMITH, JOHANNES P.)
SPALEK, WERNER TRIPOLT, MICHAEL)
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MEDICI AG, ERNST & YOUNG, PRIMEO)
FUND, HERALD FUND SPC, HSBC)
HOLDINGS PLC, HSBC INSTITUTIONAL)
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SECURITIES SERVICES (IRELAND) LTD.,)
HSBC SECURITIES SERVICES)
(LUXEMBURG) S.A., PIONEER)
ALTERNATIVE INVESTMENT)
MANAGEMENT LIMITED,)
PRICEWATERHOUSECOOPERS, THEMA)
INTERNATIONAL FUND PLC, and)
UNICREDIT S.A.,)
)
Defendant(s).)
)

PLEASE TAKE NOTICE that Movant Repex Ventures S.A. (the “Repex” or “Movant”), upon the Declaration of Timothy J. Burke dated May 4, 2009, and the exhibits annexed thereto, the accompanying Memorandum of Law, all of the prior pleadings and proceedings had herein, and such other evidence as the Court may consider at the hearing on this motion, hereby respectfully moves this Court for an order in the form filed herewith: (i) consolidating all related actions; (ii) appointing Repex as Lead Plaintiff in the actions pursuant to the Private Securities Litigation Reform Act of 1995; and (iii) approving Movant’s selection of Lead Counsel.

Dated: May 4, 2009

Respectfully submitted,

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*Counsel for Movant Repex Ventures, S.A.
and Proposed Lead Counsel For Plaintiffs
and The Class*

CERTIFICATE OF SERVICE

I hereby certify, this 4th day of May, 2009, that I caused a true and correct copies of the **NOTICE OF MOTION OF REPEX VENTURES S.A. FOR CONSOLIDATION OF ALL RELATED ACTIONS, APPOINTMENT AS LEAD PLAINTIFF PURSUANT TO § 21D(a)(3)(B) OF THE SECURITIES EXCHANGE ACT OF 1934 AND APPROVAL OF SELECTION OF LEAD COUNSEL** to be served via First Class Mail and First Class International Mail on all parties listed on the attached service list.

Dated May 4, 2009

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